

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

YVETTE VEGA MOLINA,
Plaintiff,

v.

Case Number: 98-2343(DRD)

THE STATE CHEMICAL SALES
COMPANY INTERNATIONAL, INC.,
Defendant.

ORDER

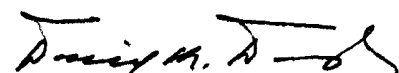
Pending before the Court is Plaintiff's Motion to Set Aside Judgment and Request to Continue Discovery Proceedings. (Docket No. 34). On March 1, 2001, the Court issued the following Order

"On September 29, 2000, the defendants filed a Motion for Summary Judgment Based on Admitted Facts and a Motion Requesting the Unopposed Consideration of Motion for Summary Judgment on October 17, 2000. (Docket Nos. 25 and 26). Plaintiff has not filed a response and an opposition is overdue. See Local Rule 311.5 ("If the respondent opposes a motion, he or she shall file a response within ten (10) days after service of the motion ..."). In addition, the last motion filed by plaintiff was on March 21, 2000, more than nine (9) months as of date. Therefore, the Plaintiff is hereby **ORDERED TO SHOW CAUSE by March 15, 2001 at 5:00 p.m.** why this case should not be dismissed: 1) by granting defendants' unopposed Motion for Summary Judgment; **and/or** 2) lack of prosecution. Given the amount of time since the Defendant filed its motion, this deadline shall be strictly enforced and **NO extensions shall be granted.**"

(Docket No. 30). Thereafter, on March 21, 2001, the Court issued an Order and entered Judgment based on plaintiff's lack of prosecution and failure to comply with the Court's order. (Docket No. 33). However, it has come to the attention of the Court that plaintiff did comply with the Court's Order by filing an opposition to defendant's Motion for Summary Judgment on March 15, 2001 at 4:56 p.m. Therefore, the Court hereby vacates the Judgment entered on March 21, 2001. The parties are to continue conducting discovery in the above captioned case.

IT IS SO ORDERED.

May 16, 2001.



DANIEL R. DOMINGUEZ
U.S. DISTRICT JUDGE

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